

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RUSSELL PERRYII,

Plaintiff,

vs.

COX COMMUNICATIONS, LEXISNEXIS,  
and EXPERIAN CREDIT BUREAU,

Defendants.

**8:23CV121**

**ORDER**

This matter is before the Court on multiple motions filed by Plaintiff. ([Filing No. 74](#); [Filing No. 75](#); [Filing No. 76](#); [Filing No. 77](#); [Filing No. 78](#); [Filing No. 79](#)). The motions will each be denied.

The “motions” set out in Filing Nos. 74-78 all appear to be requests for discovery from Defendants. However, discovery cannot be conducted at this point. Pursuant to Federal Rule of Civil Procedure 26(d), discovery is not to occur until the parties have conferred as required by Fed. R. Civ. P. 26(f), *unless* the parties stipulate to conduct discovery early or the Court allows the parties to do so. [Fed. R. Civ. P. 26](#). The Rule 26(f) Report has not been filed and the Court will not allow discovery at this time because there are multiple motions to dismiss pending. Also, there is no indication the parties have stipulated to early discovery. Therefore, Plaintiff’s requests for discovery will be denied.

Plaintiff’s motion found at [Filing No. 79](#) is a request for a discretionary exemption from PACER fees. Plaintiff claims he needs an exemption because he is indigent and needs to check into his identity theft case. Plaintiff’s exemption request will be denied. Plaintiff has not shown,

nor does the Court find, that a discretionary exemption is necessary to avoid unreasonable burdens on Plaintiff.

Accordingly,

**IT IS ORDERED** that [Filing No. 74](#), [Filing No. 75](#), [Filing No. 76](#), [Filing No. 77](#), [Filing No. 78](#), and [Filing No. 79](#) are denied.

Dated this 5th day of March, 2024.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge